

MINUTES

MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON FISH AND GAME

Call to Order: By **CHAIRMAN MIKE SPRAGUE**, on January 16, 2001 at 3 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Mike Sprague, Chairman (R)
Sen. Jack Wells, Vice Chairman (R)
Sen. Al Bishop (R)
Sen. Edward Butcher (R)
Sen. William Crismore (R)
Sen. Pete Ekegren (R)
Sen. Jon Ellingson (D)
Sen. Eve Franklin (D)
Sen. Bill Tash (R)
Sen. Jon Tester (D)

Members Excused: Sen. Debbie Shea (D)

Members Absent: None.

Staff Present: Roberta Opel, Committee Secretary
Mary Vandembosch, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 54, 1/16/2001;
SB 186, 1/16/2001
Executive Action: SB 104
SB 186

HEARING ON SB 54

Sponsor: SEN. GLENN ROUSH, SD, SD 43, Cut Bank

Proponents: Jim Jacobsen, Montana Veteran's Affairs Division
Jeff Hagener, Director, FWP

Hal Manson, American Legion

Dan Antonietti, VFW

Beate Galda, FWP

Opponents: None

Opening Statement by Sponsor:

SEN. GLENN ROUSH, SD 43, CUT BANK, introduced SB 54 at the request of the Veteran Affairs's Interim Committee, State Administration Public Retirement System and also the Military and Veteran Affairs Subcommittee. SB 54 would allow members of the military to apply for a license in Montana as well as another state, he explained. The bill pertains only to Montana residents who entered active military service and does not apply, for instance, to military personnel stationed at Malcolm Air Force Base.

SEN. ROUSH detailed the scenario leading to SB 54: a Montana resident, on active duty in another state, obtained a hunting/fishing license while on military duty. When he returned to Montana, he wanted to purchase that same type of license and was subject to a fine because he had violated Montana law.

Under current law, a member of the Armed Forces who receives a resident license must: file Montana state income tax, license and title all vehicles in Montana and vote in Montana. SB 54 would change only the provision prohibiting dual license hunting.

Montana takes pride in providing benefits to our Armed Forces, **SEN. ROUSH** said.

Proponents' Testimony:

Jim Jacobsen, Administrator, Montana Veteran's Affairs Division, stated support for the bill on behalf of the 90,000 veterans.

Jeff Hagener, Director, FWP, provided written testimony in support of SB 54 with proposed amendments. **EXHIBIT(fis12a01)**

Hal Manson, American Legion, told the committee SB 54 is a good bill that allows native Montanans to maintain residency privileges.

Dan Antonietti, Veteran's of Foreign Wars (VFW), asked the committee, simply, to support SB 54.

Opponents' Testimony: None.

Questions from Committee Members and Responses:

SEN. JON TESTER asked **SEN. ROUSH** what item was being "amended out" by adding the amendment.

SEN. ROUSH deferred the question to FWP.

Mr. Hagener explained the amendment.

SEN. ROUSH added that recommendations came from the State Administration, Public Retirement Systems, and Veteran's Affairs Committee.

SEN. JACK WELLS asked **SEN. ROUSH** to recall the conversation with **SEN. MIKE HALLIGAN** related to the Montana Constitution section granting special privileges to the military.

SEN. ROUSH said he had not specifically examined that section of the bill but noted that SB 54 would apply only to active Montana servicemen.

SEN. SPRAGUE explained that SB 54 would allow an active military person, and his dependents, hunting and fishing privileges in Montana. There is precedent in other portions of Montana law where dependents are involved, he said.

{Tape : 1; Side : A}

SEN. BISHOP asked if there were additional hunting and fishing or trapping licenses that should be examined.

Mr. Hagener said the present statute is designed to cover all licenses.

SEN. BUTCHER inquired if there was any opposition to the bill.

SEN. ROUSH replied that the bill was requested by an individual via **SEN. CONRAD BURNS'** office and by several military people.

SEN. JON ELLINGSON asked **Beate Galda, FWP**, if the wife of a military serviceman would only receive a dependent license if the serviceman had maintained Montana residency.

Miss Galda noted that the serviceman would have to comply with all residency requirements.

Closing by Sponsor:

SEN. ROUSH closed the hearing stating that an additional benefit for the dependent of military service members would be in-state tuition at the university system. He stated support for the proposed FWP amendment.

HEARING ON SB 186**Opening Statement by Sponsor:**

SEN. JOHN COBB, SD 25, Augusta, asked the committee to Table SB 186 which would make a temporary fishing license available to Montana residents. FWP recently agreed to implement the bill by working with their commission, he added. Temporary fishing licenses could attract 5,000 new fishermen, **SEN. COBB** told the committee. FWP would establish license fees and retain flexibility to implement these fees.

Proponents' Testimony:

Jeff Hagener, Director, FWP, testified in support of the intent of SB 186 **EXHIBIT(fis12a02)** stating that authority for implementation of the bill was initially granted in the 1997 legislative session.

Opponents' Testimony: None**Questions from Committee Members and Responses:**

SEN. EVE FRANKLIN asked if the intent of the bill would be in place for the upcoming fishing season.

Mr. Hagener replied the intent of the bill would not be in place until March 2002.

SEN. FRANKLIN asked **SEN. COBB** if that was agreeable.

SEN. COBB said that time frame was agreeable.

SEN. BISHOP asked **Mr. Hagener** the cost of a regular Montana fishing license.

Mr. Hagener replied that the license would cost \$13.

SEN. SPRAGUE asked why the bill could have both a negative and a positive affect.

SEN. COBB said approximately 5,000 first-time fishermen would purchase one, 2-day temporary license thereby possibly reducing the sale of seasonal licenses.

SEN. SPRAGUE asked if fishermen were restricted to only one temporary license per year. He suggested it was possible for someone to spend more money buying temporary licenses than one permanent license.

Closing by Sponsor:

SEN. COBB stated he had requested the hearing so there would be a record of committee proceedings relating to SB 186.

EXECUTIVE ACTION ON SB 186

Motion/Vote: **SEN. JACK WELLS MOVED TO TABLE SB 186. The motion carried unanimously, 11-0.**

EXECUTIVE ACTION ON SB 104

Motion/Vote: **SEN. FRANKLIN MOVED SB 104 DO PASS.**

Discussion:

SEN. BUTCHER presented his amendments to SB 104.

EXHIBIT(fis12a03)

SEN. SPRAGUE asked **Beate Golda, FWP**, to explain language within this amendment.

Miss Golda explained the amendment to the committee.

SEN. BUTCHER responded that his amendments to SB 104 were self-explanatory.

SEN. SPRAGUE, sponsor of the bill, suggested the amendments improved the bill.

Motion/Vote: **SEN. FRANKLIN MOVED THE AMENDMENTS TO SB 104. The motion carried unanimously, 11-0.**

Motion/Vote: **SEN. FRANKLIN MOVED SB 104 DO PASS AS AMENDED. The motion carried unanimously, 11-0.**

ADJOURNMENT

Adjournment: 3:55 P.M.

SEN. MIKE SPRAGUE, Chairman

ROBERTA OPEL, Secretary

MS/RO

EXHIBIT(fis12aad)